

## REMARKS

Claims 1-35 were pending in the application. Claims 1-27 and 29-35 stand rejected as either being anticipated under 35 U.S.C. §102(b) by Albaugh, U.S. Patent No. 226,645 ("Albaugh"), Plocek, et. al., U.S. Patent No. 4,904,190 ("Plocek"), or Botham, U.S. Patent No. 1,974,735 ("Botham"), obvious under 35 U.S.C. §103(a) over Albaugh taken alone, Plocek taken alone, or Botham in view of Morgan, et. al., U.S. Patent No. 4,700,850 ("Morgan"). Claim 28 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim.

By this paper, claims 1, 8, 9, and 13 have been amended. Independent claim 24 has been amended to incorporate the elements of claims 25, 26, 27, and 28. Claims 5-7, 19, and 25-28 have been canceled. Accordingly, claims 1-4, 8-18, 20-24, and 29-35 remain pending, with claims 1-4, 8-18 and 20-23 at issue. Reconsideration and withdrawal of the various rejections are hereby respectfully solicited in view of the foregoing amendments and the following remarks.

### Claims 1 and 13 are Allowable over the Cited References.

Claim 1 has been amended to incorporate the elements of claim 5-7, and Claim 13 has been amended to incorporate the elements of claim 19.

Claims 1 and 13, as amended, recite, *inter alia*, a turntable comprising a base, a top rotatably coupled to the base, a bearing disposed between the base and the top, and a rotating member coupled to the base so that the bearing is disposed between the base and the rotating member. The base includes a *peripheral groove* disposed between the bearing and the exterior edges of the base.

Initially, none of Albaugh, Botham, or Morgan teach a peripheral groove in the base disposed between the bearing and the exterior edges of the base. There is simply no groove shown in Botham peripheral from the anti-friction balls 14, or in Albaugh peripheral to the rollers H. The only groove shown in Morgan is the groove in which the bearing is disposed. The references, whether taken alone or in combination, fail to teach or suggest all of the elements of the claims. Thus, the rejection based on anticipation by either Albaugh or

Botham, and the rejection based on obviousness over Botham and Morgan, must be withdrawn.

Next, Plocek does not teach a rotating member. In each of Plocek's embodiments, only three elements are shown: a base 12 or 12A, an electrical conducting plate 10/10A (which has interpreted to be a bearing in the official action), and a top 14/14A rotatably connected to the base. Thus, Plocek does not teach the fourth element of a rotating member coupled to the base. In Plocek, if the top is removed, the bearing element is exposed. In the claimed turntable, if the top is removed for cleaning, the bearing is still captured between the rotating element and the base.

Further, Plocek does not teach a groove peripheral to a bearing. In the second example disclosed by Plocek and cited in the official action, electrically conductive balls roll in tracks formed by the base and top and conduct electricity from the base to the top. The top is rotatable with respect to the bottom. The examiner asserts that these electrically conductive balls are bearings. However, each of the tracks has one or more balls retained therein, and therefore each track is part of the asserted bearing. Thus, there is no ball-less or bearing-less groove that is peripheral to any bearing or track, and in fact, all tracks are a part of the asserted bearing. Thus, Plocek does not teach all elements of the claims, and the rejection under 35 U.S.C. §102(b) must be withdrawn.

Finally, Plocek cannot be used in an obviousness analysis under 35 U.S.C. §103(a) because it is non-analogous art. "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor, or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446 (Fed. Cir. 1992). Here, Plocek is directed to an automotive part, specifically an electrical connector assembly for a vehicular steering wheel. The present invention is directed to a storage device such as a turntable. Further, Plocek is directed to solving the problem of maintaining electrical contact in the wheel assembly, whereas the present invention is for solving the problem of, *inter alia*, keeping the bearings clean and operational. Thus, Plocek is not in the field of the applicants' endeavor.

Specifically, Plocek is not pertinent to the problem with which the inventor was concerned. A reference is only pertinent when, because of the matter with which it deals, logically would have commended itself to an inventor's attention.<sup>1</sup> Here, the applicants were

---

<sup>1</sup> *In re Clay*, 966 F.2d 656, 659 (Fed. Cir. 1992).

concerned with safely storing items on a rotatable turntable. It is untenable to argue that one looking to improve a storage unit, also known as a "lazy susan" would look to a steering column of an automobile for guidance.

The peripheral groove as claimed is configured to trap debris and keep debris from entering the bearing. The recesses in Plocek are used as electricity conductors and are either filled completely with wave washers 122-130 or are simply a track for an electrically conductive sphere. One looking to solve the problem of debris entering a bearing of a lazy susan would not look to a steering wheel with channels containing electrical conductors therein.

Thus, because none of the cited references teach a peripheral groove, and further because Plocek does not teach a rotatable member and further is non-analogous art, claims 1 and 13 are allowable over the cited references. Further, all claims dependent from independent claims 1 and 13 are also allowable.

**Claim 24 is Allowable.**

Claim 24 has been amended to incorporate the elements recited in claims 25, 26, 27, and 28. In the office action, the examiner found that claim 28 would be allowable if rewritten in independent form including all of the elements of the base claim and any intervening claims. As claim 24 now stands, it includes all elements from the noted claims. Allowance of claim 24 and all claims dependent therefrom is hereby requested.

**CONCLUSION**

Claims 1-4, 8-18, 20-24, and 29-35 are in condition for allowance in view of the foregoing amendments and remarks. Reconsideration and withdrawal of the various rejections are hereby respectfully solicited.

The examiner is invited to contact the undersigned at the telephone number listed below in order to discuss any remaining issues or matters of form that will place this case in condition for allowance. No fee is believed due at this time. However, the Commissioner is hereby authorized to charge any fee deficiency, or to credit any overpayments, to Deposit Account No. 13-2855 of the undersigned's firm.

Respectfully submitted,



Russell C. Petersen  
Reg. No. 53,457  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Dr.  
6300 Sears Tower  
Chicago, Illinois 60606  
(312) 474-6300

September 22, 2003